

DOCKET NO.: JJO-0005

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:

Freeman et al.

Serial No.: Not yet assigned Group No.: Unassigned

Filed: Herewith Examiner: Unassigned

For: ORTHOPEDIC CASTING BANDAGE

"Express Mail" Label No. RB735224413US  
Date of Deposit November 8, 1994 M.F.

I hereby certify that this Reissue Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Mario Calabretta  
Typed Name: Mario Calabretta

Commissioner of Patents & Trademarks  
Washington, DC 20231

Sir:

REISSUE APPLICATION TRANSMITTAL LETTER

Transmitted herewith is the application for reissue of U.S. Patent No. 5,088,484 issued on February 18, 1992 of Freeman et al., entitled Orthopedic Casting Bandage.

Enclosed are the following:

## 1. SPECIFICATION, CLAIM(S) AND DRAWING(S)

(XX) 8 page(s) of specification(XX) 4 page(s) of claims(XX) 1 page(s) of abstract

Note: This must include the entire specification and claims of the patent, with the matter to be omitted by reissue enclosed in square brackets; and any additions made by the reissue must be underlined, so that the old and new specifications and claims may be readily compared. Claims should not be renumbered and the numbering of claims added by reissue should follow the number of the highest numbered patent claim.

(XX) 2 sheet(s) of ( ) formal/(XX) informal drawings.

(XX) No changes in the drawings upon which the original patent was issued are to be made. Therefore, in accordance with 37 C.F.R. § 1.174, please find

attached, in the size required for original drawings:  
 a copy of the printed drawings of the patent.  
 a photoprint of the original drawings.

**2. DECLARATION AND POWER OF ATTORNEY**

7 pages of declaration and power of attorney.  
 An Associate Power of Attorney.

**3. PRELIMINARY AMENDMENT (check if applicable)**

enclosed herewith.

**4. OFFER TO SURRENDER THE ORIGINAL LETTERS PATENT IN ACCORDANCE WITH 37 C.F.R. § 1.178 IS ATTACHED**

Offer to surrender is by the inventor.  
 along with assent of assignee.  
 Offer to surrender is by the assignee of the entire interest (and the reissue application does not seek to enlarge the claims of the original patent).

**5. LETTERS PATENT**

Original letters patent attached.  
 Declaration that original letters patent lost or inaccessible.  
 Original letters patent or declaration that original letters patent lost or inaccessible will be submitted after prosecution on the merits but before the application has been allowed.

Note: "The application may be accepted for examination in the absence of the original patent or the declaration but one or the other must be supplied before the case is allowed." 37 C.F.R. § 1.178.

Note: "If a reissue be refused, the original patent will be returned to applicant upon his request." 37 C.F.R. § 1.178.

**6. TITLE**

In accordance with 37 C.F.R. § 1.171, this application for reissue is accompanied by:

a certified copy of an abstract of title.  
or  
 an order for an abstract of title.

**7. INFORMATION DISCLOSURE STATEMENT (check if applicable)**

attached.  
 A list of references cited in the original patent with

a copy of each reference.

- (XX) A list of references cited in the Request for Reexamination of the original patent with a copy of each reference (see Declaration, paragraph 13).

**8. PRIORITY - 35 U.S.C. § 119**

( ) Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ (country) is claimed under 35 U.S.C. § 119.

( ) The certified copy has been filed in prior application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_.

**9. FEE CALCULATION (37 C.F.R. §§ 1.16(h), (i) and (j))**

CLAIMS AS FILED			SMALL ENTITY			OTHER THAN SMALL ENTITY	
	No. Filed	No. Extra	Rate	Fee	O R	Rate	Fee
BASIC FEE				\$365	O R		\$730
Total Claims	42	- 20 OR 33 the number of claims in original patent, whichever is greater =	9	x \$11=	\$	O R	x \$22= \$198
Indep. Claims	8	minus number of independent claims in original patent =	3	x \$38=	\$	O R	x \$76= \$228
Multiple dependent claims are treated as ordinary claims for fee purposes. 37 C.F.R. § 1.16(j).							
TOTAL				\$			\$1156

**10. SMALL ENTITY STATUS (if applicable)**

Note: A new verified statement is required for the reissue even if one has been filed in the original patent.

( ) A Verified Statement Claiming Small Entity Status under 37 C.F.R. §§ 1.9 and 1.27 is enclosed.

**11. METHOD OF PAYMENT OF FEES**

(XX) A check in the amount of \$1156.00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

( ) Please charge my Deposit Account No. 23-3050 in the amount of \$ \_\_\_\_.

This sheet is attached in triplicate.

#### **12. AUTHORIZATION TO CHARGE ADDITIONAL FEES**

- (XX) The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050.
- (XX) Any additional filing fees required under 37 C.F.R. §§ 1.16(a), (f) or (g) (filing fees) including fees for presentation of extra claims (37 C.F.R. §§ 1.16(b), (c) and (d)).
- (XX) Any additional patent application processing fees under 37 C.F.R. § 1.17 and under 37 C.F.R. § 1.20(d).
- (XX) The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3050.
- (XX) Any patent application processing fees under 37 C.F.R. § 1.17 and under 37 C.F.R. § 1.20(d).
- ( ) The issue fee set in 37 C.F.R. § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b).
- (XX) Any filing fees under 37 C.F.R. § 1.16 including fees for presentation of extra claims.

This sheet is attached in triplicate.

Date: Nov. 8, 1994

  
**FRANCIS A. PAINTIN**  
 Registration No. 19,386

WOODCOCK WASHBURN KURTZ  
 MACKIEWICZ & NORRIS  
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 Philadelphia, PA 19103  
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Form PO-140  
 Form approved by U.S. Department of Commerce  
 Comptroller General, U.S. November 2, 1950 Patent Office

## DEPOSIT ACCOUNT ORDER FORM

Mail To:	Commissioner of Patents, Washington, D.C. 20231
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Account No. 23-3050	November 8, 1994
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## DESCRIPTION OF ARTICLES OR SERVICES TO BE FURNISHED

Please furnish the Examiner in charge of the application for  
 reissue of U.S. Patent 5,088,484, granted February 18, 1992, based on  
 application Serial No. 07/593,852 filed October 5, 1990, with a Title  
 Report in connection with said patent. The title report should  
 show ownership of the patent in the name of Johnson & Johnson  
 Orthopaedics Inc. by virtue of assignments recorded in the PTO  
 at Reel 5773, Frame 972 and Reel 6251, Frame 461. Kindly charge all fees  
 to our above identified deposit account.

WOODCOCK WASHBURN KURTZ MACKIEWICZ &amp; NORRIS

Francis A. Paintin, Registration No. 19,386

For Prompt, Accurate Shipment Please Complete the Following Mailing Label

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